

Minutes
Regular Meeting of May 19, 2021
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The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in Regular session at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, MS. on May 19, 2021 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

Alderman Lafontaine acting as Mayor Pro-Tempore noted for the record the presence of Aldermen Burke, Richardson and Piazza (Via Telephone) with City Clerk Mickey Lagasse and City Attorney Malcom Jones.

Absent from the Meeting Mayor Mike Smith

MAYOR'S REPORT

Re: Sales Tax Report: The City has collected \$310,713.72, according to the records we have kept back to the fiscal year ending September 30, 2004, this is the highest collection month the city has experienced. This is a 14.63% increase in collections. A comparison to the prior year for the same period shows that the city has collected \$295,167.65 more than for the same time period last year.

Re: There will be an Economic Development workshop on June 2, 2021, at 6:30 in the Board Meeting Room.

Re: Bo Humphreys was present to discuss the purchase of new tractors (no action to be taken)

ALDERMEN'S COMMENTS

Re: Alderman Burke

- Requested a change in the time for the Economic Development Meeting to be held on June 2, 2021 to 6 p.m.
- Requested a plan of action regarding the Economic Development Meeting.

Re: Alderman Richardson

- Inquired about further research into Employee insurance premiums and expressed concern about losing Employees due to this issue.
- Discussed the Recycle Dumpster behind City Hall and requested the dumpster be emptied more than once a week.
- Noted an increased number of calls regarding drainage.

Re: Alderman Lafontaine

- Asked if the sand bags long Sycamore had been moved, as was previously discussed.

Re: Alderman Piazza

- Had no comments

PARKS AND RECREATIONS/CITY HALL

Re: Invited the audience to attend the upcoming volley ball tournaments to be held on the Beach at the Lighthouse and Volleyball Court (beach).

ATTORNEY'S COMMENTS

Re: Recognized that Devon Holcomb had been hired and the it appears things are going well with the addition of Mr. Holcomb and the upcoming retirement of Ms. Melinda Tucker.

Re: Requested Item No. 10 p be moved to Executive Session

Re: Notified the Board that progress with the 'apartments' was moving forward. (Discussion regarding this issue had been in Executive Session at a previous meeting)

PUBLIC COMMENTS

Mr. Chad Whitney

Mr. Ron Thorp

BLIGHTED PROPERTY PUBLIC HEARING

Re: Muriel Hanson – 822 Villere Street

Alderman Burke moved, seconded by Alderman Richardson to open the Public Hearing regarding 822 Villere Street and 413 Wainwright Street. **(EXHIBIT A)**

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A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Mr. Jones: I think everybody had as part of their package, so the first one we're going to be talking about is Murial Hanson, 822, is that pronounced Villere Street?

Alderman Lafontaine: Yes.

Mr. Jones: Villere Street. And so and just for the record I want to go ahead and place for the record the Affidavit from the Code Officer that indicates that all of the proper notifications were made, specifically that the letter that was adjudicating the property as a public menace was mailed to both the local address and to the Tax Accessors address listed on the tax rolls. It was posted and we did receive back from the US Postal Service, we sent this Priority Mail with delivery confirmation and it did indicate in the record that it was delivered on April 16, 2021 to the address as listed in this file. Did you have any contact at all with anyone for 822 Villere?

Mr. Hayes: No.

Mr. Jones: Okay. Have you had any interest from anyone other than complaining neighbors, anybody that's connected to ownership of that property?

Mr. Hayes: No.

Mr. Jones: Okay. Okay you'll see in the file that the structure is in terrible shape. It's hard for me to tell because the picture taken from a distance back, Josh which probably in the future we probably should take one closer up, but it looks like is it a metal sided building or what is that?

Mr. Hayes: It looks to be accessory structure. It's so far back, you would have to go on private property without a right of entry.

Mr. Jones: Alright, well for these types of things you can go ahead and go on to the property and take photos, get closer and go take photos and so, it's sufficient for what we have right here. It looks like the roof itself is caved in into the structure? Right.

Mr. Hayes: Yes.

Mr. Jones: Right, and what it's been like that for how long would you say, month's years?

Mr. Hayes: I would say six months, since the storm. (Hurricane Zeta) I would assume.

Alderman Piazza: Malcom

Mr. Jones: Charlie go ahead.

Alderman Piazza: Malcom, that roof came off in Hurricane Zeta.

Mr. Jones: Alright, good, so that was last October was it? Thank you for that Charlie, we will make that part of the record, that it was damage from Hurricane Zeta. And no efforts been made for anyone to seek a Building Permit Josh, or to inquire about this at all?

Mr. Hayes: No.

Mr. Jones: If they, in fact had sought to repair this, would it be considered substantially damaged and have to be raised, I mean when I say raised, elevated for the flood zone.

Mr. Hayes: Yes, repairs, meet substantial damages for sure.

Mr. Jones: More than fifty percent? More than fifty percent?

Mr. Hayes: Yes, you can say that because the super structure failed.

Mr. Jones: Right, okay. This, I didn't realize it because I couldn't tell from the distance from the picture. Was this a residence or is this just an accessory structure on the property, some kind of storage..

Mr. Hayes: Looks to be accessory structure.

Alderman Lafontaine: I think it was accessory.

Mr. Jones: Okay, alright. Well, from all indications, all the requirements have been met to declare this a public menace, we have photographic evidence available, we have the testimony of the Code Officer. It appears to meet the criteria as being unsafe and hazardous both under the Mississippi Code §21-19-11 and also the International Property Maintenance Code. It's collapsed and it's not safe, it couldn't really be repaired if they wanted to, because if they did repair it, they would have had to elevate it to the proper flood elevations, so I'm sure that would be several feet off the ground from where it is located off the ground, since it's in a flood zone. Right Josh?

Mr. Hayes: Correct.

Mr. Jones: Okay. Anything else you want to add to that Josh?

Mr. Hayes: No that's it.

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Mr. Jones: Any questions from the Board?

Alderman Lafontaine: Yes, my question is, depending on which way this votes tonight is that something that we would remove, or is this, how's this going to work

Mr. Jones: Well, we have a choice, we can either get the Board to declare it as a Public Menace, the Board can either solicit Contractors to take it down, haul it off, or we can go ahead, I'm not sure, Mickey do we have the capability with Public Works to this one.

Mr. Lagasse: (inaudible) But if I can say Malcom, if we want to seek reimbursable, I think taxing the Public Works guys, if we do it, we go out for bid quote like we normally do. To me that's a better way to do these type of buildings.

Mr. Hayes: Yes, I think I would have to agree with Mickey on that too, that we'd probably solicit contracts on this and see. It probably would be, I mean I'm guessing on this, but I'm expecting it probably would be less than five or around five.

Mr. Lagasse: Yes, we have a decent budget for it.

Alderman Richardson: Mickey, what do we have left in that blighted property, demo.

Mr. Lagasse: I don't know right off the top of my head, Bobby.

Mr. Hayes: Isn't around twenty-five?

Mr. Lagasse: I think we started out at twenty five guys.

Alderman Lafontaine: It started out at twenty five.

Mr. Lagasse: But I think that the Hotel was twenty.

Mr. Jones: Yes.

Mr. Lagasse: So I think that was, I just can't remember what budget year it was in, I think it was in this budget year.

Alderman Burke: The stuff this size, we been getting good quotes..

Mr. Lagasse: House have been averaging about thirty-five hundred.

Alderman Lafontaine: Half of this is already torn down.

Alderman Burke: It's all how many loads you have to take to the dump and I think this is maybe a twenty-five hundred job.

Mr. Jones: The only thing I can tell you is that it's going to be difficult to get something out of here right now, with, and were not talking about doing it like right away, but it took, is there a way to get to it from?

Alderman Lafontaine: That ditch is not deep in front that and it's just a shallow ditch.

Mr. Jones: I'm just figuring out how to get to it. Is there a driveway or something to it Josh.

Alderman Lafontaine: Well the drive comes in over here and this is looking from a road view, but like I said that ditch is not very deep.

Mr. Jones: Ok, so it's more like a..

Alderman Piazza: There's plenty of more room on that driveway to get up over it too.

Alderman Burke: So you haven't had any response from the homeowner, like is there anything in the shed or the accessory structure?

Mr. Hayes: Maybe, we didn't go into it.

Alderman Burke: No, no, but I just didn't, I guess that's, if that hadn't had any stuff, obviously even if tearing down the stuff, if there's something of value in there.

Mr. Hayes: Well it, kind of open to the elements.

Mr. Jones: To the elements, yes. So look Josh.

Alderman Lafontaine: And they got people that live there and that sign out front there, should have been noticed, and no one bothered to call us back, right Josh?

Mr. Jones: Well nobody's actually living on the property, right?

Alderman Lafontaine: In the house.

Mr. Jones: Well but this house, I don't think is.

Mr. Hayes: Isn't it a separate piece of property.

Ms. (Makesi) Willis: Yes, it's just an accessory structure.

Alderman Burke: That Building to the left is part of the parcel.

Ms. Willis: Yes, its part of the parcel, and it's an accessory structure in the back yard. When I posted the notice, the Owner was actually there and I didn't say anything. Yes, it's in the backyard and the roof is completely caved in the back. Looked like somebody lived there, but from the road, I can't really tell what it is.

Mr. Jones: So here's what were going to do, if y' all declare it tonight, Josh, you and I are going to go out there and were going to talk to these people. You're saying where this little minivan is over here, this is the house that's connected to that structure, the residence?

Ms. Willis: Yes. (Presented photos to Mr. Jones)

Mr. Jones: Alright, got it.

Mr. Hayes: We took better pictures.

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Ms. Willis: Yes, I took better pictures, that's just the posted, for the Notice.

Mr. Jones: Josh you don't have a telephone number to call these people at all?

Alderman Burke: Would our Utility Department have one.

Mr. Hayes: They have it.

Mr. Jones: Yes, I mean is there some reason, we didn't try to reach out to them by phone? Alright well, I think we ought to show that we tried every way possible, this one's probably going to be a problem, the next has some questions about. You and I will go ahead, just to try doubly make sure that we don't have any issues about contacting, we will go to these people and talk to them and tell them what's fixen to happen.

Alderman Burke: So, I guess having said can we finally make a motion to declare it blight, give the owner certain amount of days a, but this will also give y' all enough time to contact them, and whatever thirty days?

Mr. Jones: Whats going to happen, and what I anticipate, is that we declare it a Public menace tonight and in violation of the International Maintenance Code, and then after we go through the solicitation to contact the owners and we'll go through the solicitation process for a contractor will come back. You have to give the owner a certain amount of time to do it themselves. Generally that's about 30 days, and then we comeback to you and say alright they didn't act or they did act and if they haven't acted to go ahead and take it down, then we will go ahead and hire the contractors to move forward.

Mr. Lagasse: So, can we go ahead and solicit, while y' all are..

Mr. Jones: Yes.

Re: Declare 822 Villere a menace and seek quotes for demolition of the same

Alderman Burke moved, seconded by Alderman Richardson to declare the property at 822 Villere Street, a menace to the health and safety of the Citizens of Waveland according to Mississippi Code Section 21-19-11 and the International Property Codes and authorize the City Clerk to seek quotes for the demolition of the accessory structure named as stated here in.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Michael J. Cuevas – 413 Wainwright Street (EXHIBIT B)

Mr. Jones: The next one we have is 413 Wainwright Street, and I'm going to listen to all the people that are here that wanted to be heard on this. This one is in the name of Michael Cuevas, as I understand Josh?

Mr. Hayes: Yes.

Mr. Jones: And the property was actually accessed to the name of Michael Cuevas but I'm..

Alderman Burke: Did you get this?

Mr. Jones: Yes, I got this letter and it appears that Michael Cuevas, the Owner, died and his Estate was probated in, I assume the Chancery Court of Hancock County and the Estate was closed on February 17, 2021 of this year. There was Warranty Deed that was from the Estate to the Heirs of Michael Cuevas Jr., and Mary Cuevas Sellier. I guess those were the two heirs that was recorded, even though it was dated December 20, 2020. It was not recorded until the Estate was closed on March 27, 2021. So actually, we would have to have notice to Michael J. Cuevas Jr., and Mary Cuevas Sellier, and I'm assuming since this was done right before you sent these notices out. You were unaware that you have to notice those two.

Mr. Hayes: Yes.

Mr. Jones: Alright. What, just for the audience, just so you'll know this. What happens when they're checking the land rolls, they don't just rely on the Land Rolls to see who's the owner, they also contact the County Office, correct Josh?

Mr. Hayes: Yes, it's in the packet here.

Mr. Jones: Yes and so when they contacted the County Office, I'm assuming at that point, they were unaware of the probate, because it had not been closed yet and they did not advise you that the property had transferred, or was being transferred to the two heirs right?

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Mr. Hayes: Well we have a verification on the twelfth, yes, it's the same information.

Mr. Jones: Yes, and so as a result we don't actually have good process or good notice to the two people. Now, are any people here that are representing Michael J. Cuevas Jr., or Mary Cuevas Sellier. If you would come forward please. (Both approached the podium) How did you find out about this, by the way. Did you receive this letter that came through the mail.

Ms. Sellier: I (inaudible) the letter, my brother lives in Georgia and he just contacted me and told me about this.

Mr. Cuevas: I found out it because I came here to cut the grass.

Mr. Jones: I understand, Okay.

Mr. Cuevas: And I found the sign and I contacted them.

Mr. Jones: Okay, I understand.

Mr. Cuevas: What happened, was my Dad died, and..

Mr. Jones: So apparently, though it's now in your name since, so what is your attentions about the property?

Mr. Cuevas: We like to fix it up.

Ms. Sellier: We want to fix it.

Mr. Jones: Okay. You can see that there's quite a few Code Violations. Have you met with Mr. Hayes here?

Mr. Cuevas: Yes, I am.

Mr. Jones: Okay, and has he gone over all the different Code Violations?

Ms. Sellier: Yes Sir.

Mr. Jones: Okay. You know it's not just cosmetic? It's quite a bit here to be done? Right, you're aware?

Mr. Cuevas: Yes, I'm aware of that. So just kind of a history. What happened was, my Dad had a Lease with my niece, her daughter.

Mr. Jones: Okay.

Mr. Cuevas: Okay, so I had to sit there, I was the Executor, I had to honor that. Her deal was she was supposed to repair the house. She wasn't doing anything.

Mr. Jones: Okay.

Mr. Cuevas: Then, what happened, is her son was (inaudible) and so there again, I'm just in the background saying this house ins going to go away.

Mr. Jones: Yes.

Mr. Cuevas: Someone in the family's going to keep it. So in the background kind like I knew this notification, but I thought it was going to be taken care of because they were going to take ownership. Her son is a teacher at St Stainislaus, was actually going to buy it and they got married and changed their mind about buying the house.

Mr. Jones: Okay.

Mr. Cuevas: So, our intentions is to fix it, and yes it needs some work to it. So..

Mr. Jones: It does, and so not to cut you off, but to real clear I can accept the fact that you had all those issues with your family but now the Title is transferred to you, it is your responsibility, because you're both on the Title. And so, we can't let it stay in this state, its going to have to be, state of disrepair, it's going to have to be moved so..

Ms. Sellier: Can I say something, in regard to this to? There was a time and I've tried, and I think Josh can vouch for this. I have tried to get certain people to start working on the house.

Mr. Jones: Yes.

Ms. Sellier: And because it was still in my Father's name and not in my name or his name at the time, no one would touch it.

Mr. Jones: Yep.

Ms. Sellier: So, we kinda had our hands tied with this until it all got settled down.

Mr. Jones: Okay, well were passed that now, this letter tells me that the Estates closed and the Title's been transferred to your name.

Ms. Sellier: Right.

Mr. Jones: Josh, stand up. What is the major violation would you say right now. The most significant violation?

Mr. Hayes: Yes, I think here in the Affidavit, when I met with Mr. Mike here, a list of the issues here. There some what generic, but they haven't really peeled back the layers of the house and seen the actual damage in there. Because of the moisture exposure and everything, so he want's to go through that with me and he wants to pull a Building Permit to repair. It's not in flood zone, so we don't have consider the substantial damage or improvement. You can tell it's been exposed to moisture and elements for a while and maybe need some actual framing repairs, super structure stuff repaired. Especially electrical. He's showing me that it's going to take you know seven or

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eight grand with electrical repairs and he's talking to me about other things like that. We just need a little more information to issue the permit. He said he's willing to do that.

Mr. Jones: Alright.

Mr. Hayes: He got a licensed Electrician.

Mr. Jones: He does, Okay. Alright well, so I guess we need to talk about schedule in terms of, generally when I see these things come up, the idea is to set a deadline for you to go ahead and achieve a Building Permit, and then from there to commence and then have a reasonable timeframe to you know achieve success in the repairs. So, tell me about what your intentions are so we can try to, if it's reasonable come up with a plan.

Mr. Cuevas: Well I told the neighbor, you see what's happened is the house has sat there.

Mr. Jones: Right.

Mr. Cuevas: Been overgrown, and everyone's assuming that everyone else is going to do the work, and it hasn't been done.

Mr. Jones: Right.

Mr. Cuevas: So, I told Alice the neighbor there, that what I'll do is make sure the place is kept up, kept clean. I've got to clean the whole exterior, all the sidings got to be pulled off.

Mr. Jones: Yes.

Mr. Cuevas: And redone. That's where the, the house is like 67 years old.

Mr. Jones: Right.

Mr. Cuevas: So the that's gotta be done. The electrical's gotta be done and then once we pull that off, then we'll know what were doing.

Mr. Jones: Right, so we're here today, and today is May the 19th. What was your idea of when you would have work commence?

Mr. Cuevas: Well, I mean I can, the problem with where we're at is, it's kinda like an all or nothing. Because if I go in there and I do the electrical I gotta pull everything off and do the siding to do the electrical.

Mr. Jones: Right.

Mr. Cuevas: So you're looking at a whole lot of money, just to get that set up.

Alderman Richardson: And if I may Malcom, I mean actually, I'm an electrician by trade. Electrical is going to be the least of your worries. I mean you have to have a structure first I mean at what time line are you looking at where you, do you know that this house is savable. You not going to sink tons and tons of money into it and then.

Mr. Cuevas: Well what I had to do, I talked with the electrician, what I need to do is pull up like the bottom 4 feet of the interior and exterior wall. I also gotta do the interior wall and look to see what the structure of framing of it is.

Mr. Jones: Can you achieve that in thirty days?

Mr. Cuevas: No, a little more than thirty days?

Alderman Richardson: Would you be getting a General Contractor to do this work or would it be just one person doing this in time. I just I'm speaking, I been dealing with this house for quite a while and the neighbors will tell you. I don't want something that's going to linger six, eight months, ten months a year.

Mr. Cuevas: No, no not a year six or eight months. Because what has to happen is, the right side of the house is where the issue is. We have, once somebody calls you from what I understand or one of you guys. Is that hey the house collapsed? I didn't collapse. We've had four different people. What happened was at one point that the one of the hurricanes blew off about four panels of the siding it's the old siding.

Ms. Sellier: It's wood.

Mr. Richardson: Right.

Mr. Cuevas: And so what happened was, we went there and put four new siding pieces, okay and that's what blew off in the hurricane. That's when someone called and said the house is collapsing and its going to fall down. It's not going to fall down, but like the with you guys I'm like okay look we have substantial structure damage. Its not going to be where I wouldn't want to put in to build a whole house or something that's not going to be repairable.

Alderman Burke: No, I guess this is my question, obviously y'all being coming here to discuss it is testament that something wouldn't happened going to happen. I guess it's going to be a question for you and I guess probably for Josh Hayes, but once you go cut off four feet to go looked at electrical. That also is going to determine a lot of other structural things. So at that point cutting off sheet rock paneling and everything else, you might also say to yourself, you know what, its not as..

Ms. Sellier: I think several other electricians need to be in to this to see exactly where we stand, with the house.

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Alderman Burke: But if it's, I don't..

Ms. Sellier: Not just one person.

Alderman Burke: Not, but if its, you know if half the house is eaten up by termites, everything else. Obviously, that might, this house might be past the point of repair, and that's whenever..

Ms. Sellier: And that's what we're trying to say.

Alderman Burke: So you going to meeting with Mr. Hayes, and I guess Mr. Hayes, though he's not, he's our Building Official, he's not a Contractor where we rely on him to determine a lot of things for us, cause he's our eyes and ears of for the blighted stuff. If it's, I know it's not in a flood zone so fifty percent rule wouldn't apply here correct? Josh?

Mr. Hayes: Right, it wouldn't be considered substantial damage or (inaudible) if it's not in a flood zone the cost of repair whether it exceeds fifty percent, you would still wouldn't have to elevate it.

Mr. Jones: That's right.

Mr. Hayes: It would, you know cost prohibitive to you if all the exterior walls are failing

Mr. Cuevas: I'm not saying anything you guys aren't saying.

Alderman Burke: No, no so if the house, if the house, so it doesn't matter that the houses were and I'm just going to use a round number hundred thousand dollars when Katrina hit. If you gotta put fifty five thousand dollars into it. It's not going to say hey it's a tear down because its not in a flood zone, because it's not in a flood zone because that doesn't apply correct?

Mr. Jones: Correct

Mr. Hayes: There's not really a regulation there to make that happen, but it may be cost prohibitive to him, again if he has to replace all the frame, once you pull out like he said the first four foot, we not just talking about electrical, we're talking about super structure, and you seen these pictures here where if this had been taken six months ago and you can see a lot of the exterior walls are failing. And that's why the letter says 'possible collapse'. Collapse is possible because you will have bearing walls that are rotten to what you can see and I've taken off the siding to see that the whole wall's about to fall down.

Mr. Jones: Right, if you don't mind Jeremy, cause I think I know where we need to go. We need to have a definite date that you're going to do whatever you need to do to inspect, you know to remove the wood, check inside outside electrical whatever and make a determination, I'm either going to tear this house down or I'm going to go ahead and repair it. I'm trying to figure out if you can achieve within thirty days and you said no. Typically our requirement is you do that within thirty days, once we reach this point of hearing, okay. Now in fairness to you because we didn't actually notify you the way that we're supposed to, we really can't move forward tonight to go ahead and declare this a public menace. Because even though they're here, we still can't do because we didn't comply with what the State Law is, however we can pretty much solve that pretty quickly within a few weeks. The main thing about it is, I'm asking you, you know in good faith, when can you determine that?

Mr. Cuevas: I mean, I'll do it as soon as I can.

Mr. Jones: That's no gonna work, you're going to have to give me a definite time.

Mr. Cuevas: Well, can you say ninety days?

Alderman Burke: Well how about we do this Malcom? So we have to public, since we have to properly do it to be to have any other action.

Mr. Jones: Right.

Alderman Burke: June first, obviously can't, June sixteenth is going to be tight noticing, July sixth is the next reasonable meeting that we can do the services and could possibly declare it a blight legally. So what about July sixth, we'll revisit this.

Mr. Jones: Hold on just a second, Josh is there some reason that we can't reissue this and have it set up for the second of June.

Alderman Burke: The sixteenth

Mr. Hayes: We can, I mean they were notified six months ago.

Mr. Jones: That doesn't work, I talking about the fifteen day deal. Because if we start this tomorrow, we should be able to have this back up at the mid meeting in June, right? There are reasons I don't want to do it at the first meeting in July so. What we'll do is this, is we'll go ahead and restart the clock. Going to have another meeting in the middle meeting of June which is the Wednesday the sixteenth.

Alderman Lafontaine: I think that's about twenty-eight days.

Alderman Richardson: hey Josh, you said they were aware of this six months ago?

Mr. Hayes: Yes.

Alderman Richardson: The reason why you couldn't do anything because it was held up in Court?

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Mr. Jones: Yes.

Mr. Cuevas: The other thing on this it's got a SBA Loan on this. There's just no way we could do anything.

Ms. Hayes: He has submitted for permit and he's willing to pull one, probably tomorrow.

Mr. Jones: Yes.

Mr. Hayes: If we can meet out there and see the level of damage and we can go from there and still.

Alderman Richardson: And nothing against you Mr. Mike, the people around that are sitting in the audience that are really tire of seeing it. They want to see it, they're doing their job to make the neighborhood right. As Ms. Elie, she just moved there and Ms. Alice and they're trying to keep the area up. Just by having that in center is bringing the property around the areas down. That's why I'm in a hurry to get it done.

Mr. Cuevas: See heres something else too, the house is sixty seven years old, it was probably the first house that was built there. And, where the issue is, I get it. We're going to go in there and we're going to do what we're telling you, and Josh will come in there and check it. If the thing is like hey I mean it's not going to be easy to fix it, we'll tear it down. You guys ain't gotta worry about (inaudible).

Mr. Jones: So here's what I'm going to recommend to the Board, that they go ahead and restart the process. It's going to bring it up for hearing at the second meeting of June, Josh. And then at the second meeting of June you're going to have to give us a definite time frame that you're going to be able to determine you whether the house can be saved or not. In other words, have your inspection done and tear off the boards and do all of that sort of business. I'm not saying you have to achieve that by the meeting, the second meeting of June, but we're going to have a definite time frame. And I'll just tell you ninety days is not going to work.

Mr. Cuevas: What day in June are you saying?

Mr. Jones: The sixteenth (in unison with Alderman Lafontaine)

Mr. Cuevas: The sixteenth, so that's giving us about 30 days.

Alderman Richardson: So, we're talking June sixteenth, and he's asked for ninety days and we're looking at sixty days now if we do that. Me personally, I mean you know where I stood on it a while back, I mean I was ready to tear the house down.

Mr. Jones: Yes.

Alderman Burke: Legally you can't do that. And I guess cause you're here first and foremost that you have to get done this week is secure the premises. Front door open, compromised, windows compromised.

Mr. Cuevas: I don't know who but somebody knocked the windows out.

Alderman Burke: yes, but they have to be fixed caused, nobody..

Mr. Cuevas: I understand it, that's vandalism. Okay so in the neighborhood who's knocking windows out? Okay so, I get it, but the issue is that the stuff was fine..

Alderman Burke: That, it doesn't matter who or how did it. It needs to be, but I know y all don't live in the neighborhood currently but the neighbors are doing, I know if I lived in the neighborhood, it would be disconcerting to me of, who has access to that house. It's obviously not anybody with your permission.

Mr. Cuevas: The windows are broken out.

Ms. Sellier: Someone did knock the windows out, because I personally put some of my personal stuff in part of that house and the windows were not knocked out when it happened.

Mr. Jones: Mr. Hayes will get with you about what you have to do to secure the property, in terms you don't have to necessarily replace the windows yet. But there are things that you have to do to keep the kids and other people that don't need to be in there, in that structure. So, he'll tell you about that. I'm just telling you it's just going to come back up on the sixteenth. The Board at that point can take two options, really I guess. One of them is they can decide, to give you some additional time or they can decide to go forward at that point and declare it a public menace and then you have to give them a certain amount of time at that point, Bobby to make the repair and if they don't, then you can take action. So I would suggest that you use, post haste to get out and determine what you're going to do, and if you're not going to be able to save it, I mean come in here and tell us and we'll work out the demolition schedule.

Alderman Lafontaine: We need to start the re-notice process tomorrow.

Alderman Burke: Re-Notice process and I guess, I know Mr. Richardson's' anxious about this. Hopefully they're able to start the process sooner of repairing it, if not. In my opinion, probably sixty days, it will be gone.

Alderman Richardson: Honestly, I would like to see you take this time between now and June sixteenth to try to evaluate as much as you can, and get moving.

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Mr. Cuevas: Okay, so let's assume we peel back like we're talking and we know that's not going fall down. So how does it work from that point to keep everything maintained? Is there a time for that as well?

Alderman Richardson: When you pull a permit, what's the permit good for Josh?

Mr. Hayes: This is kind of an SOP in our office, when you have a violation I want to say thirty days to make that violation go away. That doesn't mean to run electricity to your house. It means that the exterior walls need to be repair. It needs to be weatherized, it needs to be in a condition that it can exist without having vagrants come in there and burn it down trying to stay warm. You know windows being open, this is the problem with vacant homes, you have these issue, you have to make these issues stop.

Mr. Jones: In this case, you've got, like Bobby was saying down there, you got until the next meeting, the June sixteenth meeting to go ahead and figure out, what you got to figure out. Because at that point, we're going to be, the Board's going to be either declaring it a public menace and then certain things are going to have to happen at that point or they can give some additional time, but I think you're hearing but not necessarily willing to give you much more time. You need to be diligent, move fast on this because I think if somebody wants to think that they can save that house, they can get out there and do the things that they have to do in a couple of weeks to be honest with you. Frankly, I realize that seems unfair to you because of all that you have had to go through and I'm sure that you've told us the truth tonight, but it's been there long enough. Going to be taking action, so I would be ready on June the sixteenth to report all that you did and I will tell you that Mr. Hayes will be in touch with you every week on this property. The more you stay in touch with him and communicate the better off you will be. The more you don't return his phone calls, it will not be good. Alright, I know it seems harsh, but we have to go ahead and get something moving on this property. I hope you can save it because I can tell it has sentimental value to you and your family and all that sort of thing. I hope that you can save it is all I can say.

Alderman Lafontaine: Okay so we'll pull up the Public Comments.

Mr. Jones: We do want to hear from the neighbors that came and we do not want let you leave without having your say.

Opposition from adjoining property owners:

Ms. Ellie Rand

Ms. Alice Baum

Mr. Rick Nelson

Mr. Jones directed Mr. Hayes make a report to the Board about the progress of the property. For the record, noting as part of Mr. Cuevas's good faith, he needed to grant permission to Mr. Hayes to enter the property. Mr. Cuevas agreed.

Re: Authorize Building Official to authorize Building Official to re-notice 413 Wainwright Street

Alderman Richardson moved, seconded by Alderman Burke to authorize the Building Official to re-notice the property owner of 413 Wainwright.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

CONSENT AGENDA (a - s)

PRIVILEGE LICENSE REPORT

Alderman Burke moves, seconded by Alderman Richardson to approve Consent agenda being listed as a-s, with the removal of 10-p. **(EXHIBIT C)**

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Re: Report for the Month of April 2021

- a. Approve the Privilege License Report for April 2021, as submitted. **(EXHIBIT D)**

PERMITS DEPARTMENT/BUILDING DEPARTMENT

Re: Permits Report for the Month of April 2021

- b. Approve the Permits Report for April 2021, as submitted. **(EXHIBIT D)**

REVENUE AND EXPENSE REPORT

Re: Report for April 2021

- c. Spread on the minutes the Revenue and Expense Report for April 2021. **(EXHIBIT E)**

COURT DEPARTMENT

Re: Report for the Months of January-April 2021

- d. Spread on the minutes the Court Statistics Reports for the months of January – April 2021. **(EXHIBIT F)**

MINUTES

Re: Meeting of May 4, 2021

- e. Approve the meeting minutes of the Regular Meeting of May 4, 2021, as submitted.

MINUTES

Re: Special Meeting of May 6, 2021

- f. Approve the meeting minutes of the Special Meeting of May 6, 2021, as submitted.

MEETINGS

Re: Economic Development Meeting to be held June 2, 2021

- g. Approve holding a Workshop/Meeting on June 2, 2021 to discuss Economic Development. (As requested by Mayor Smith)

FIRE DEPARTMENT

Re: Lowest quote received for lights and bed covers for new truck accessories

- h. Approve the lowest quote for lights and bed covers for the two new Fire Department is from Dana Safety Supply at \$11387.76.

STREETS DEPARTMENT/PUBLIC WORKS/PERSONNEL

Re: New Hire, Mr. Joseph Holliman, Laborer in Streets Department

- i. Approve new hire, Mr. Joseph Holliman as a Laborer in the Streets Department at a rate of \$11.00 per hour, pending passage of drug test.

REQUEST FOR CASH/NICHOLSON AVENUE PAVING PROJECT

Re: Request for Cash submitted for Nicholson Avenue Paving Project

- j. Spread on the minutes Request for Cash Reimbursement in the amount of \$476,006.63 for the Nicholson Paving Project, as submitted by Compton and recommended for payment by the same. **(EXHIBIT G)**

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INVOICES/NICHOLSON AVENUE PAVING PROJECT

Re: Pay Application No. 9 from Greater Gulf Development – Nicholson Avenue Paving Project

- k. Approve Pay Application No. 9 from Greater Gulf Development in the amount of \$136,718.20 - Nicholson Avenue Paving Project, as submitted by Compton Engineering and recommended by the same. **(EXHIBIT H)**

EMERGENCY REPAIR/STREETS DEPARTMENT/PURCHASING

Re: Emergency non-budgeted expense for damaged vehicles resulting from Kiln-Waveland Cutoff pothole

- l. Approve emergency non-budgeted expenses for individuals whose vehicles were damaged on Kiln-Waveland Cutoff Rd. The amount is a not to exceed \$3,500.00.

INVOICES/HURRICANE ZETA/ZETA-HURRICANE

Re: Invoice 2221-019-1 from Compton Engineering for Hurricane Zeta Projects

- m. Invoice 221-019-1 from Compton Engineering in the amount of \$11,870.00 – Hurricane Zeta Projects. **(EXHIBIT I)**

DOCKET OF CLAIMS

Re: Claims

- n. Approve the Docket of Claims paid and unpaid in the amount of \$515,836.77 dated May 19, 2021, as submitted. **(EXHIBIT J)**

PERSONNEL/COURT DEPARTMENT

Re: Resignation of Deputy Court Clerk Rachel M. Sekinger

- o. Accept the resignation of Rachel M. Sekinger as Deputy Court Clerk, effective June 11, 2021.

LEGAL DEPARTMENT/PLANNING AND ZONING

Re: ~~Lawsuit filed on May 13th Cause No. 21-0882~~

- ~~p. Spread on the minutes a lawsuit filed May 13th Cause No. 21-0082.~~

HURRICANE ZETA/ZETA-HURRICANE/FIRE STATION/FEMA

Re: Project Worksheet representing Permanent Generator Repairs to the Fire Department

- q. Spread Project Worksheet (PW) FEMA-4576-DR-MS, FIPS# 045-78200-00, in the amount of \$19,425.00. This PW #00037(0) represents the Permanent generator repairs to the Fire Station. (\$7,381.77). (This is the second PW we have received) **(EXHIBIT K)**

CORPS OF ENGINEERS/CORRESPONDENCE/GARFIELD LADNER MEMORIAL PIER/PIER

Re: Correspondence providing permission to begin repair and reconstruction of Garfield Ladner Memorial Pier

- r. Spread “Letter of Permission of Notice” from USCOE, requesting comments from the required agencies for the Garfield Lander Pier repair and reconstruction. **(EXHIBIT L)**

AGREEMENTS/INSURANCE/HEALTHY WORKPLACE

Re: Letter of Understanding from Blue Cross Blue Shield of Mississippi that would create a Healthy Workplace

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s. Approve a Letter of Understanding with Blue Cross Blue Shield of Mississippi that would creating a Health Workplace and authorize the mayor's signature thereon. **(EXHIBIT M)**

END CONSENT AGENDA

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Potential Litigation regarding Planning and Zoning Appeal

Alderman Richardson moved, seconded by Alderman Burke to go into closed session to discuss pending litigation in the matter of in the Circuit Court of Hancock County, Mississippi with the appeal Jessica Tartaglia and others, including Thomas and Glenda Whitman vs. the City of Waveland and Rodney Corr and Corr Financial, LLC. Case No. 21-0082, this is an appeal of a decision of the city regarding a Zoning variance that occurred and the Mr. Jones recommended to discuss strategy sessions as it would have a detrimental effect upon the litigating position of the City if discussed in open session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

Re: Enter Executive Session

Alderman Burke moved, seconded by Alderman Richardson to discuss pending litigation in the matter of in the Circuit Court of Hancock County, Mississippi with the appeal Jessica Tartaglia and others, including Thomas and Glenda Whitman vs. the City of Waveland and Rodney Corr and Corr Financial, LLC. Case No. 21-0082, this is an appeal of a decision of the city regarding a Zoning variance that occurred and the Mr. Jones recommended to discuss strategy sessions as it would have a detrimental effect upon the litigating position of the City if discussed in open session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

Alderman Burke moved, seconded by Alderman Richardson to come out of executive session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

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Absent: None

LITIGATION/LEGAL DEPARTMENT/PLANNING AND ZONING

Re: Authorize City Attorney to appear in the matter of Appeal Case No. 21-0082

Alderman Piazza moved, seconded by Alderman Burke authorize the City Attorney to enter an appearance and to take such action as required by the City in the matter of in the Circuit Court of Hancock County, Mississippi with the appeal Jessica Tartaglia and others, including Thomas and Glenda Whitman vs. the City of Waveland and Rodney Corr and Corr Financial, LLC. Case No. 21-0082, this is an appeal of a decision of the city regarding a Zoning variance that occurred

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn the meeting at 8:40 p.m.

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 8:40 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on June 17, 2021.

James M. Lagasse
City Clerk

The Minutes of the Regular Meeting of May 19, 2021 have been read and approved by me on this, the 17th of June, 2021.

Mike Smith
Mayor